

United States District Court  
Southern District of Texas

**ENTERED**

October 11, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CLIFFORD F. TUTTLE, JR., *et al.*,

§

Plaintiffs,

§

VS.

§ CIVIL ACTION NO. 4:21-CV-00270

CITY OF HOUSTON, *et al.*,

§

Defendants.

§

**ORDER**

Before the Court are (1) Plaintiffs' Motion for Voluntary Dismissal of Defendant Art Acevedo in His Official Capacity (Doc. #266) and (2) Defendant Art Acevedo, in His Official Capacity as Chief of Police of the Houston Police Department's ("Acevedo") Motion for Judgment on the Pleadings (Doc. #262). In accordance with Plaintiffs' Motion for Voluntary Dismissal (Doc. #266) and pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, it is hereby ORDERED that Plaintiffs' claims against Defendant Art Acevedo, in his official capacity as the Chief of Police of the Houston Police Department, are DISMISSED WITHOUT PREJUDICE. This Order does not affect or operate to exhaust any remaining asserted claims. Further, because the Court has dismissed Plaintiffs' claims against Acevedo, Acevedo's Motion for Judgment on the Pleadings is DENIED as MOOT.

It is so ORDERED.

OCT 10 2023

Date

The Honorable Alfred H. Bennett  
United States District Judge

